IN THE HIGH COURT OF JUDICATURE AT BILASPUR, CHHATTISGARH

(4)

Civil Revision No. 91 /2004

CR 152

Anamika Singh,
D/o- Surendra Singh,
Aged about 20 years,
R/o- Kedarpur, P.S. Ambikapur,
Distt. Surguja,
Chhattisgarh. Appellant

Single Bench

VERSUS

1. Vinod Kumar Panda,
S/o- Baikunthnath Panda,
R/o-Navapara(Near Nehru Hostel),
Ambikapur, Distt. Surguja,
Chhattisgarh.

2. Alphons Toppo,
S/o-Jahonious Toppo,
Aged about 25 years,
Owner of the Vehicle,
R/o- Ambikapur, Distt. Surguja,
Chhattisgarh.

P.R No. 1227/04
Presented by Shri Pankaj Shrivastava
dated 13.05.04

B.J, 20/5

3. United India Insurance Co. Ltd.,
Through-Manager,
Branch Office Near Ram Mandir,
Ambikapur, Distt. Surguja,
Chhattisgarh. Non-Appellant

CIVIL REVISION UNDER SECTION 115 OF THE CODE OF CIVIL PROCEDURE

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(28)

आदेश पत्रक

मामला क्रमांक ....C.Rev.No. 91/04 सन् /200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

16/02/2005

Shri Pankaj Shrivastava, counsel for the applicant.

The instant Civil Revision has been preferred by the applicant as he is aggrieved by the impugned order dated 06/04/2004, by which the application of the applicant/claimant for release of amount which is directed to be deposited in fixed deposit account of the applicant/claimant for the period of five years i.e. from 25/02/2004 to 25/02/2008 has been rejected.

Learned counsel for the applicant submits that at the time of filing of the application i.e. on 29/09/2001, the age of the applicant was shown as 14 years and now the applicant has completed the age of 18 years and has attained majority. Learned counsel for the applicant submits that the applicant had also annexed certified copy vide Annexure A/2 and according to which the date of birth of the applicant is shown as 10/06/1984. Learned counsel for the applicant further submits that the finding of the Court below that the applicant has not attained majority is contrary to material available on record.

I have heard learned counsel for the appellant.

From the documents on record and the fact that at the time of filing of the application, the age of the applicant is shown as 14 years and now the applicant is aged 18 years and as such he attained majority and the finding of the trial court is contrary to the material available on record.

In the above circumstances, the application is allowed and it is directed that the amount deposited in the fixed deposit account of the applicant be released along with interest. The petition is disposed of.

Sd/-
Dhirendra Mishra
Judge

23/2/05